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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/848,904

**Applicant(s)**

CHRISTENSEN ET AL.

**Examiner**

HUNG T. VY

**Art Unit**

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

### DETAILED ACTION

1. As of entry of the amendment filed on 2/01/2008, claims 1-21 are pending in this application. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

### Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6, 11-13, 16-19 and 21 are rejected under 35 U. S. C. § 102 (e) as being anticipated by Leblang et al. (U.S. pat. No. US005574898A ).

**With respect to claim 1,** Leblang et al. discloses an apparatus for permitting a user to manipulate data within a data processing system comprising:

an enterprise server (106) (i.e., “server machines 106” (fig. 1 and col. 6, line 17) containing a data base (i.e., “a public storage device 20 and a private storage device 18” (col. 5, line 40-42 or fig. 1) or “stored in a VOB database” (col. 18, line 30-35)) having a plurality of data objects (i.e., “This record is associated with objects involved in the operation. Typically, **the objects are versions or elements**, but they can also be the user-defined meta-data object discussed below” (col. 18, line 35-42));

a version property associated with one of said plurality of data objects (i.e., “This record is associated with **the object** involved in the operation. Typically, **the objects are version or element**” (col. 18, line 37-

41) or "the storage device stores **attributes associated with each version of the objects...**for accessing a version of an object determined by the state of the associated attributes' (col. 3 line 32-40)) ;

a terminal (i.e., "Client workstation supporting a single user 102" (col. 6, line 50-52)) having a session which generates a request under control of said user involving access to said one of said plurality of data objects (i.e., "an object version selector for providing the processor **with access only to specific versions of target data objects** as determined by a set of selection rules" (col. 2, line 57-62) or "Branches 202 and version 201 can be assigned user-defined names of **easy access by the user**" (col. 7, line 1-5)) ;

a version list (i.e., "The **list of versions** is constructed by auditing the actual UNIX file system 'open (2)' calls performed by the compiler and other tools participating in the build, which ensures the correctness of the config rec created" (col. 15, line 48-52)) associated with said session having an assumed version property (i.e., "The version-control system automatically **associates** the config rec 234, with each derived object produced by build Scrip, for example ...automatically tracked by the version-control system" (col. 15, line 53-58) or "A linker is also provided for linking a common **identifying label** to each **object version** whose identity is recorded as an entry in an audit record associated with the **identifying label**" (abstract) or Fig. 9) ;

comparing means (i.e., "compare versions" (col. 8, line 3)) responsively coupled to said data base (i.e. "stored in a **VOB database**" (col. 18, line 30-35) for comparing said assumed version property with said version property (i.e., "An audit record **comparator** is provided for determining the difference between **source object versions** used in building two or more derived object versions" (abstract)); and

an update facility with update said version list from said database if said comparing means finds said assumed version property does not equal said version property (i.e., "At this point, other views that select the most recent version on that branch will **be updated** to see the newly checked-in version" (0047) or "Each file element type has a type manager program associated with it, which handles all elements of that

*type, for example, storing and retrieving individual version, **comparing version**, and so on...it computes deltas (incremental **differences**) between successive versions" (col. 20, line 62-67 and col. 21, line 1-3) .*

**With respect to claim 6**, Lebalng et al. discloses an apparatus and a method of maintaining synchronization within a system permitting to a user to utilize a terminal (*i.e.*, "Client workstation supporting a single user 102" (col. 6, line 50-52)) to access a plurality of instance of a given object within an enterprise server objects (*i.e.*, "an object version selector for providing the processor **with access only to specific versions of target data objects** as determined by a set of selection rules" (col. 2, line 57-62) or "Branches 202 and version 201 can be assigned user-defined names of **easy access by the user**" (col. 7, line 1-5)) ; comprising:

storing a version property within a data base containing said dataset object (*i.e.*, "a public storage device 20 and a private storage device 18" (col. 5, line 40-42 or fig. 1) or "stored in a **VOB database**" (col. 18, line 30-35) or "the Storage device stores **attributes associates with each version** of the objects" (col. 3, line 31-35)).) ;

preparing a version list (*i.e.*, "**The list of versions** is constructed by auditing the actual UNIX file system 'open (2)' calls performed by the compiler and other tools participating in the build, which ensures the correctness of the config rec created" (col. 15, line 48-52)) associated with a user session containing an assumed version property (*i.e.*, "the Storage device stores **attributes associates with each version** of the objects" (col. 3, line 31-35) or "The version-control system automatically **associates** the config rec 234, with each derived object produced by build Scrip, for example ...automatically tracked by the version-control system" (col. 15, line 53-58) or "A linker is also provided for linking a common **identifying label** to each **object version** whose identity is recorded as an entry in an audit record associated with the **identifying label**" (abstract) or Fig. 9) ) ;

requesting access to said dataset object from said user session *i.e.*, "an object version selector for providing the processor **with access only to specific versions of target data objects** as determined by a set of

*selection rules" (col. 2, line 57-62) or "Branches 202 and version 201 can be assigned user-defined names of easy access by the user" (col. 7, line 1-5) ;*

comparing (i.e., *"compare versions" (col. 8, line 3)*) said assumed version property to said version property (i.e. *"stored in a VOB database" (col. 18, line 30-35)*) for comparing said assumed version property with said version property (i.e., *"An audit record comparator is provided for determining the difference between source object versions used in building two or more derived object versions" (abstract)*)

and updating said version list from said data base if said comparing step (i.e., *"At this point, other views that select the most recent version on that branch will be updated to see the newly checked-in version" (0047) or "Each file element type has a type manager program associated with it, which handles all elements of that type, for example, storing and retrieving individual version, comparing version, and so on...it computes deltas( incremental differences) between successive versions" (col. 20, line 62-67 and col. 21, line 1-3) or "the type manager updates the data container when a new version is checked in" (col. 34, line 25-27))* .

**With respect to claim 11**, Leblang et al discloses the same limitation as recited on claim 6 (see rejection on claim 6).

**With respect to claim 12**, Leblang et al. further discloses updating means responsively coupled to said comparing means for updating said version list if said comparing means finds said version property different from said assumed version property (i.e., *"At this point, other views that select the most recent version on that branch will be updated to see the newly checked-in version" (0047) or "Each file element type has a type manager program associated with it, which handles all elements of that type, for example, storing and retrieving individual version, comparing version, and so on...it computes deltas( incremental differences) between successive versions" (col. 20, line 62-67 and col. 21, line 1-3)* ) .

**With respect to claim 13**, Leblang et al. discloses wherein a publically accessible digital data communication network which couples said requesting means to said storing means (figs. 1-2, *"an object version selector for providing the processor with access only to specific versions of target data objects*

*as determined by a set of selection rules" (col. 2, line 57-62) or "Branches 202 and version 201 can be assigned user-defined names of easy access by the user" (col. 7, line 1-5)).*

**With respect to claim 16**, Leblang et al discloses the same limitation as recited on claim 1 (see rejection on claim 1).

**With respect to claim 17**, Leblang et al discloses an update facility responsively coupled to said comparison facility and said version list which updates said version list if said comparison facility finds said version property different from said assumed version facility (*i.e.*, "Each file element type has a type manager program associated with it, which handles all elements of that type, for example, storing and retrieving individual version, **comparing version**, and so on...it computes deltas( incremental differences) between successive versions" (col. 20, line 62-67 and col. 21, line 1-3) or "the type manager **updates** the data container when a new version is checked in" (col. 34, line 25-27)) .

**With respect to claim 18**, Leblang et al. discloses wherein said session is responsively coupled to said data base management system via a publically accessible digital data communication network (figs. 1-2, "an object version selector for providing the processor **with access** only to **specific versions of target data objects** as determined by a set of selection rules" (col. 2, line 57-62) or "Branches 202 and version 201 can be assigned user-defined names of **easy access by the user**" (col. 7, line 1-5)).

**With respect to claim 19**, Leblang et al. discloses wherein said version list is stored within a first memory which is faster access time than a memory containing said dataset (*i.e.*, "store the identity of a selected object version in a cache memory" (col. 3, line 5-7) or "A version-**caching** scheme enables version selection to occur efficiently, enhancing the effect on system performance" (col. 10, line 61-62)) .

**With respect to claim 21**, Leblang et al discloses the same limitation as recited on claim 1 (see rejection on claim 1).

**Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a. Claims 2-5, 7-10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leblang et al. (U.S. pat. No. US005574898A) in view of Underwood (U.S. Patent No. US007100195B1).

**With respect to claim 2**, Leblang et al. discloses said user session further comprises a Script object (*i.e.*, “Both for source file (elements) and for build target (derived objects)...if a build script” (col. 2, line 45-50)) but Leblang does not explicitly disclose a JavaScript object. However, Underwood discloses wherein JavaScript in user session (*i.e.*, “The **JavaScript** actions are capable of being executed upon detection of a user action involving one of the user interface objects” (col. 63, line 35-37)). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Leblang et al.’s system by using JavaScript in order to create the good environment to provides a level of interaction fast and more complex between the clients and server and the useful and powerful of JavaScript language on its web server for the stated purpose has been well known in the art as evidenced by teaching of Underwood (col. 1, line 60-68).

**With respect to claim 3**, Leblang et al. discloses each of said plurality of data objects has a separate version property associated therewith (*i.e.*, “the Storage device stores **attributes associates with each version of the objects**” (col. 3, line 31-35)).



**With respect to claim 4**, Leblang et al. discloses wherein said terminal (104) is responsively coupled to said enterprise server (106) containing said data base via a publically accessible digital data communication network (*figs. 1-2 or UnderWood discloses on fig. 42*).

**With respect to claim 5**, Leblang et al. discloses wherein each of said version properties is stored within said data base (*i.e., "a public storage device 20 and a private storage device 18" (col. 5, line 40-42 or fig. 1 ) or "stored in a VOB database" (col. 18, line 30-35)*) .

**With respect to claim 7**, Leblang et al. and Underwood disclose the same limitation as recited on claim 2 (see rejection on claim 2).

**With respect to claim 8**, Leblang et al. discloses wherein said version list is stored within a first memory which is faster than a second memory wherein said database is stored (*i.e., "store the identity of a selected object version in a cache memory" (col. 3, line 5-7) or "A version-caching scheme enables version selection to occur efficiently, enhancing the effect on system performance" (col. 10, line 61-62)*) .

**With respect to claim 9**, Avery et al. discloses wherein said requesting step occurs over a publically accessible digital data communication network (*i.e., "the mobile server per requests made by the mobile client device 202 when, for example, a user selects menu options or presses web document buttons via the Web browser 204 and user interface 214" (0028) or "user interface 114 is part of a thin client application, e.g., a Wireless Application Protocol (WAP) or Internet capable Web browser (e.g., Netscape or Microsoft Internet Explorer, etc.) on the mobile client device 102" (0026)*) .

**With respect to claim 10**, Avery et al. discloses wherein said assumed version property is transferred via said publically accessible digital data communication network during said requesting step means (*figs. 1-2 and, "an object version selector for providing the processor with access only to specific versions of target data objects as determined by a set of selection rules" (col. 2, line 57-62) or "Branches*

202 and version 201 can be assigned user-defined names of **easy access by the user**" (col. 7, line 1-5) or UnderWood discloses on fig. 42).

**With respect to claim 18**, Leblang et al. and Underwood disclose the same limitation as recited on claim 2 (see rejection on claim 2).

**With respect to claim 20**, Leblang et al. and Underwood disclose the same limitation as recited on claim 2 (see rejection on claim 2).

- b. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leblang et al. (U.S. pat. No. US005574898A) in view of Spellman et al. (U.S. Patent No. US005917485A).

**With respect to claim 14**, Leblang et al. discloses all limitations of claimed invention recited in claim 13 except Mapper data base management system. However, Spellman et al. discloses Mapper data base management system (i.e., "**MAPPER** is a commercially available **data management** and reporting system provided by Unisys Corporation" (col. 8, line 10-15)) . It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Leblang et al.'s system by using the Mapper data base management system in order to have data base management system in an efficient multi-user environment and to enable the user to utilize either access technique, the logic for each individual assistance function for the stated purpose has been well known in the art as evidenced by teaching of Spellman (col. 2, line 28-38).

**With respect to claim 15**, Leblang et al. discloses wherein said requesting means further comprising an industry standard personal computer (fig. 2)) .

### **Response to Arguments**

4. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Vy whose telephone number is 571-2721954. The examiner can normally be reached on 8.30am - 5.30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

//Hung T Vy/

Primary Examiner, Art Unit 2163

April 01, 2008

